



Narine Mkrtchyan <narine57@gmail.com>

RE: Rayzberg v. County of LA

1 message

Raymond Fuentes <Ray@fm-llp.com>

Mon, Apr 8, 2024 at 10:34 AM

To: Narine Mkrtchyan <narine57@gmail.com>

Cc: Kim McNally <kim@fm-llp.com>, Michael Branconier <mbranconier@fm-llp.com>, fmllp main box <fmllp@fm-llp.com>

We **oppose** your Ex Parte **on both procedural and substantive grounds**. Please include our opposition in your Ex Parte.

You have been aware of the BWC video footage since June 1, 2023. *Scott v Harris* case is an old case and prevents Plaintiffs from presenting inconsistent versions of the incident as depicted by the video footage. Nothing that you say or do can remedy the inconsistent version presented by your client and the video footage.

*Raymond J. Fuentes***Fuentes & McNally, LLP****700 N. Central Avenue, Suite 470****Glendale, CA 91203****Telephone: 818-543-4750****Fax: 818-543-4757**

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From: Narine Mkrtchyan <narine57@gmail.com>**Sent:** Monday, April 8, 2024 10:24 AM**To:** Raymond Fuentes <Ray@fm-llp.com>**Subject:** Rayzberg v. County of LA

Counsel,

It appears in your reply you raised new arguments with new caselaw not raised previously in your moving papers. As an example, you relied on *Scott v. Harris* in arguing there is no genuine dispute of facts because of BWC.

That is impermissible. See *Eberle v. City of Anaheim*, 901 F.2d 814 (9th Cir. 1990) #2691

This is notice that Plaintiff will be filing an ex parte tomorrow to strike Defendants' reply or newly raised arguments. Please, let me know if you oppose.

Thanks.

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